

## **EXHIBIT 5**

Jun. 9. 2009 4:49PM Nusbaum Stein Goldstein Bronstei  
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UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

NUSBAUM, STEIN, GOLDSTEIN,  
BRONSTEIN & KRON, P.A.  
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Attorneys for Plaintiffs

CHAYA GROSSBAUM and  
MENACHEM GROSSBAUM, her  
spouse, individually and as guardians  
*ad litem* of the infant ROSIE  
GROSSBAUM,

Plaintiffs,

vs.

GENESIS GENETICS INSTITUTE,  
LLC, of the State of Michigan,  
MARK R. HUGHES, NEW YORK  
UNIVERSITY SCHOOL OF MEDICINE  
and NEW YORK UNIVERSITY  
HOSPITALS CENTER, both  
corporations in the State of New York,  
ABC CORPS. 1-10, and JOHN DOES  
1-10,

Defendants.

CASE NO.: 07-CV-1359 (HAA)

CIVIL ACTION

PRETRIAL SCHEDULING ORDER

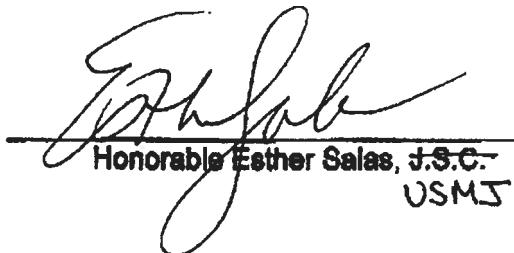
THIS MATTER having come before the Honorable Esther Salas, U.S. Magistrate  
Judge, on Wednesday, June 3, 2009 for a telephonic Status Conference;

IT IS on this 10<sup>th</sup> day of June, 2009,

ORDERED as follows:

Jun. 9, 2009 4:50PM Nusbaum Stein Goldstein Bronstein  
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1. All fact discovery, including depositions, is to be concluded no later than August 3, 2009;
2. Plaintiff is to provide all liability and damage expert reports no later than August 14, 2009;
3. Defense expert reports are to be served on later than October 1, 2009;
4. A telephonic conference is to be held on Wednesday, October 7, 2009 at 10:30 a.m. before the Honorable Esther Salas, to be initiated by defense counsel for Defendants, Mark Hughes and Genesis Genetics Institute, to confirm status of the matter and to setup a Settlement Conference;
5. All discovery is to be concluded no later than December 11, 2009; and  
**IT IS FURTHER ORDERED**, that a copy of this Order shall be served upon all parties within 10 days from the entry of this Order.



Honorable Esther Salas, J.S.C.  
USMS